

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

Ramesh Chakrapani,

Defendant.

Civil Action No. 09 CIV 00325

CASE MANAGEMENT PLAN AND
SCHEDULING ORDER

ECF

RICHARD J. SULLIVAN, District Judge:

At the conference before the Court held on May 27, 2009, this Case Management Plan and Scheduling Order was adopted in accordance with Rules 16-26(f) of the Federal Rules of Civil Procedure.

1. All parties do not consent to disposition of this case by a Magistrate Judge, pursuant to 28 USC §636(c).
2. This case is to be tried to a jury.
3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) will be completed no later than June 8, 2009.
6. All *fact* discovery is to be completed no later than September 24, 2009.
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties meet the fact discovery completion date in ¶6 above:
 - a. Initial requests for production of documents to be served no later than June 15, 2009, with responsive documents and any written objections produced and served no later than thirty days thereafter.
 - b. Interrogatories to be served by June 15, 2009, with responses and any written objections served no later than thirty days thereafter.

- c. Depositions to be completed by September 24, 2009.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
 - ii. There is no priority in deposition by reason of a party's status as plaintiff or defendant.
 - d. Requests to Admit to be served no later than August 24, 2009.
8. All *expert* disclosures, including reports, production of underlying documents and depositions are to be completed by:
- a. Plaintiff's Expert Reports: October 23, 2009
 - b. Defendant's Expert Reports: November 20, 2009
 - c. Expert Depositions: December 18, 2009
9. All discovery is to be completed no later than December 18, 2009.
10. The Court will schedule a post-discovery status conference (see ¶ 16) within three weeks of the close of all discovery.
11. Pre-motion letters regarding dispositive motions, if any, are to be submitted no later than two weeks prior to the post-discovery status conference date listed in ¶ 16. In accord with the Court's Individual Rule 2.A, response letters thereto are to be submitted within three business days from service of the initial pre-motion letter.
12. All counsel must meet for at least one hour to discuss settlement not later than two weeks following the close of fact discovery. Accordingly, Counsel for the parties discussed holding a settlement conference before a Magistrate Judge or the Southern District's Mediation Program and request:
- a. X Referral to a Magistrate Judge for settlement discussions
 - b. Referral to the Southern District's Mediation Program
13. *m.j. peck shall contact the parties by Oct. 1, 2009.*
The parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practice Rule 3 and Rule 26(a)(3). If this action is to be tried before a jury, proposed *voir dire*, jury instructions, and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict form in an effort to make an agreed upon submission.
14. Parties have conferred and their present best estimate of the length of the trial is 2-3 weeks.

TO BE COMPLETED BY THE COURT:


15. [Other directions to the parties:]

16. The post-discovery status conference is scheduled for January 15, 2010
at 11:30 AM.

SO ORDERED

DATED: New York, New York

May 27, 2009



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE